

REMARKS

In response to the Office Action mailed June 22, 2010, the application has been carefully reviewed. Reconsideration of the Application is respectfully requested. Claims 1-4 are pending in the application. By this Amendment, Claims 1 and 4 have been amended and Claims 2 and 3 have been cancelled without prejudice.

Claims 1 and 4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Benedict et al (US Patent No. 5,488,458, hereinafter "Benedict"). The Examiner has acknowledged that Benedict does not disclose that the sheet is flipped over and the same sensor array is used to scan the second side. It is the Examiner's contention that it would have been an obvious matter of design choice since Applicant has not disclosed that this difference solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with two sensors. On page 1 of the specification of the Application, the Applicant has clearly denoted that in duplex printing dual sensors (on opposite sides of a page) tend to detect marks on the underside of a page which shows through the printing material and erroneously detects the mark as being on the upper side. This leads to calibration errors and ultimately to registration errors, as a result of which registration or alignment is no longer guaranteed. Thus, the one sensor array of Applicant's claimed invention solves a significant problem (as very clearly set forth in the last several sentences of page 7 of the specification of the Application), and performs better than dual sensors arrangement. Furthermore, just employing one sensor array in place of a dual sensor array would not be an obvious design choice since the additional step of shifting printing sheets must be provided in the manner claimed to align front side marks and back side marks with transport belt marks. Accordingly, it is respectfully submitted that Applicant's invention as now claimed would not be obvious in view of the Benedict reference in the manner set forth by the Examiner. Therefore amended Claims 1 and 4 should now be allowed.

It is respectfully submitted that, in view of the above amendments and remarks, this Application is now in condition for allowance, prompt notice of which is earnestly solicited.

The Examiner is invited to call the undersigned in the event that a phone interview will expedite prosecution of this Application towards allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Roland R. Schindler II', is written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.